

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF RECEIPT OF
RECORD COPY

(PCT Rule 24.2(a))

To:

WATANABE, Junzo
3rd Floor, Akasaka
Habitation Building
3-5, Akasaka 1-chome
Minato-ku, Tokyo 107-0052
Japan

RECEIVED

JAN 26, 2004 9

INQUE & ASSOCIATES

Date of mailing (day/month/year) 16 January 2004 (16.01.2004)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 103-1028	International application No. PCT/JP2003/015974

The applicant is hereby notified that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

ASAHI KASEI KABUSHIKI KAISHA (for all designated States except US)
HORI, Takahiro et al (for US)

International filing date : 12 December 2003 (12.12.2003)
Priority date(s) claimed : 12 December 2002 (12.12.2002)
04 September 2003 (04.09.2003)
16 September 2003 (16.09.2003)

Date of receipt of the record copy
by the International Bureau : 09 January 2004 (09.01.2004)

List of designated Offices :

AP : BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW
EA : AM, AZ, BY, KG, KZ, MD, RU, TJ, TM
EP : AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR
OA : BF, BJ, CF, CG, CI, CM, GA, GN, GO, GW, ML, MR, NE, SN, TD, TG
National : AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM,
DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS,
LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL,
SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.70.10

Authorized officer:

Monique BROSSE (Fax 338 7010)

Telephone No. (41-22) 338 8325



Continuation of Form PCT/IB/301

NOTIFICATION OF RECEIPT OF RECORD COPY

Date of mailing (day/month/year) 16 January 2004 (16.01.2004)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 103-1028	International application No. PCT/JP2003/015974

ATTENTION

The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau.

In addition, the applicant's attention is drawn to the information contained in the Annex, relating to:

- ☒ time limits for entry into the national phase --see updated important information (as of April 2002)
- ☒ confirmation of precautionary designations (if applicable)
- ☒ requirements regarding priority documents (if applicable)

A copy of this Notification is being sent to the receiving Office and to the International Searching Authority.

INFORMATION ON TIME LIMITS FOR ENTERING THE NATIONAL PHASE

The applicant is reminded that the "national phase" must be entered before each of the designated Offices indicated on the cover sheet of this Notification by paying national fees and furnishing translations, as prescribed by Articles 22 and 39 and the applicable national laws. In addition, the applicant may also have to comply with other special requirements applicable in certain Offices. It is the applicant's responsibility to ensure the necessary steps to enter the national phase are taken in a timely fashion. Most Offices do not issue reminders to applicants in connection with the entry into the national phase.

The applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be **30 MONTHS** from the priority date, not only in respect of any elected Office where a demand for international preliminary examination is filed before the expiration of 19 months from the priority date (see Article 39(1)), but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see PCT Gazette No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the PCT Newsletter, October and November 2001 and February 2002 issues.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For regular updates on the applicable time limits (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the PCT Gazette ("Section IV" part published on a weekly basis), to the PCT Newsletter (on a monthly basis) and to the relevant National Chapters in Volume II of the PCT Applicant's Guide (the paper version of which is updated usually twice a year and the Internet version of which is updated usually on a weekly basis). Finally, a cumulative table of all applicable time limits for entering the national phase is available from WIPO's Internet site, via links from various pages the site including those of the Gazette, Newsletter and Guide, at <http://www.wipo.int/pct/en/index.html>.

Information about the requirements for filing a demand for international preliminary examination is set out in the PCT Applicant's Guide, Volume I/A, Chapter IX. Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

CONFIRMATION OF PRECAUTIONARY DESIGNATIONS

This notification lists only specific designations made under Rule 4.9(a) in the request. It is important to check that these designations are correct. Errors in designations can be corrected where precautionary designations have been made under Rule 4.9(b). The applicant is hereby reminded that any precautionary designations may be confirmed according to Rule 4.9(c) before the expiration of 15 months from the priority date (this time limit may not be extended). If it is not confirmed, it will automatically be regarded as withdrawn by the applicant. There will be no reminder and no invitation. Confirmation of a designation consists of the filing of a notice specifying the designated State concerned (with indication of the kind of protection or treatment desired) and the payment of the designation and confirmation fees. The Notice of confirmation and payment must reach the receiving Office within the 15-month time limit.

REQUIREMENTS REGARDING PRIORITY DOCUMENTS

For applicants who have not yet complied with the requirements regarding priority documents, the following is recalled.

Where the priority of an earlier national, regional or international application is claimed, the applicant must submit a copy of the said earlier application, certified by the authority with which it was filed ("the priority document") to the receiving Office (which will transmit it to the International Bureau) or directly to the International Bureau, before the expiration of 16 months from the priority date, provided that any such priority document may still be submitted to the International Bureau before that date of international publication of the international application, in which case that document will be considered to have been received by the International Bureau on the last day of the 16-month time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request must be made before the expiration of the 16-month time limit and may be subjected by the receiving Office to the payment of a fee (Rule 17.1(b)).

If the priority document concerned is not submitted to the International Bureau or if the request to the receiving Office to prepare and transmit the priority document has not been made (and the corresponding fee, if any, paid) within the applicable time limit indicated under the preceding paragraphs, any designated State may disregard the priority claim, provided that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within the time limit which is reasonable under the circumstances.

Where several priorities are claimed, the priority date to be considered for the purposes of computing the 16-month time limit is the filing date of the earliest application whose priority is claimed.

From the INTERNATIONAL BUREAU

PCTNOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

WATANABE, Junzo
3rd Floor, Akasaka
Habitation Building
3-5, Akasaka 1-chome
Minato-ku, Tokyo 107-0052
JAPONDate of mailing (day/month/year)
24 June 2004 (24.06.2004)Applicant's or agent's file reference
103-1028**IMPORTANT NOTICE**International application No.
PCT/JP2003/015974International filing date (day/month/year)
12 December 2003 (12.12.2003)Priority date (day/month/year)
12 December 2002 (12.12.2002)

Applicant

ASAHI KASEI KABUSHIKI KAISHA et al

1. Notice is hereby given that the International Bureau has **communicated**, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DZ, EP, HU, JP, KG, KP, KR, MD, MK, MZ, RU, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BW, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 24 June 2004 (24.06.2004) under No. WO 2004/052270

4. **TIME LIMITS for filing a demand for international preliminary examination and for entry into the national phase**

The applicable time limit for entering the national phase will, **subject to what is said in the following paragraph**, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of **19 months** from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, **time limits other than the 30-month time limit** will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For **regular updates on the applicable time limits** (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a **demand for international preliminary examination**, see the *PCT Applicant's Guide*, Volume I/A, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's **sole responsibility** to monitor all these time limits.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 70 10

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/15974

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁷ A61J1/05

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁷ A61J1/05-1/22, B01D39/00-39/20

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho 1922-1996 Toroku Jitsuyo Shinan Koho 1994-2004

Kokai Jitsuyo Shinan Koho 1971-2004 Jitsuyo Shinan Toroku Koho 1996-2004

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 11-267421 A (Terumo Corp.), 05 October, 1999 (05.10.99), Full text; all drawings (Family: none)	1-23
A	WO 01/28597 A1 (MACO PHARMA.), 26 April, 2001 (26.04.01), Full text; all drawings & EP 1093823 A1 & JP 2003-512093 A	1-23
A	JP 3-146067 A (Asahi Chemical Industry Co., Ltd.), 21 June, 1991 (21.06.91), Full text; all drawings (Family: none)	1-23

☒ Further documents are listed in the continuation of Box C.
 ☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
12 March, 2004 (12.03.04)Date of mailing of the international search report
30 March, 2004 (30.03.04)Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/15974

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5100564 A (Pall Corp.), 31 March, 1992 (31.03.92), Full text; all drawings & WO 92/07656 A & EP 556303 A & JP 2570906 B2	1-23

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/15974

Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 13 to 22

because they relate to subject matter not required to be searched by this Authority, namely:

The inventions as set forth in claims 13 to 22 are relevant to methods for treatment of the human body by surgery or therapy and diagnostic methods.

2. ☐ Claims Nos.:

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:

because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐

The additional search fees were accompanied by the applicant's protest.

☐

No protest accompanied the payment of additional search fees.

A. 発明の属する分野の分類 (国際特許分類 (IPC))

Int. Cl⁷ A61J1/05

B. 調査を行った分野

調査を行った最小限資料 (国際特許分類 (IPC))

Int. Cl⁷ A61J1/05-1/22, B01D39/00-39/20

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報 1926-1996年

日本国公開実用新案公報 1971-2004年

日本国登録実用新案公報 1994-2004年

日本国実用新案登録公報 1996-2004年

国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)

C. 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	JP 11-267421 A (テルモ株式会社) 1999. 10. 05, 全文、全図 (ファミリーなし)	1-23
A	WO 01/28597 A1 (MACO PHARMA) 2001. 04. 26, 全文、全図 & EP 1093823 A1 & JP 2003-512093 A	1-23
A	JP 3-146067 A (旭化成工業株式会社) 1991. 06. 21, 全文、全図 (ファミリーなし)	1-23

☒ C欄の続きにも文献が列挙されている。☐ パテントファミリーに関する別紙を参照。

* 引用文献のカテゴリー

「A」特に関連のある文献ではなく、一般的技術水準を示すもの

「E」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの

「L」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す)

「O」口頭による開示、使用、展示等に言及する文献

「P」国際出願日前で、かつ優先権の主張の基礎となる出願

の日の後に公表された文献

「T」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの

「X」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの

「Y」特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの

「&」同一パテントファミリー文献

国際調査を完了した日

12. 03. 2004

国際調査報告の発送日

30. 3. 2004

国際調査機関の名称及びあて先

日本国特許庁 (ISA/JP)

郵便番号100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

門前 浩一

3E

8723

電話番号 03-3581-1101 内線 6395

C (続き) . 関連すると認められる文献		
引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	US 5100564 A (Pall Corporation) 1992. 03. 31, 全文、全図 &WO 92/07656 A &EP 556303 A &JP 2570906 B2	1-23

第 I 欄 請求の範囲の一部の調査ができないときの意見 (第 1 ページの 2 の続き)

法第 8 条第 3 項 (P C T 1 7 条 (2) (a)) の規定により、この国際調査報告は次の理由により請求の範囲の一部について作成しなかった。

1. ☒ 請求の範囲 1 3 - 2 2 は、この国際調査機関が調査をすることを要しない対象に係るものである。
つまり、
人の身体の手術又は治療による処置及び診断方法に関するものである。
2. ☐ 請求の範囲 _____ は、有意義な国際調査をすることができる程度まで所定の要件を満たしていない国際出願の部分に係るものである。つまり、
3. ☐ 請求の範囲 _____ は、従属請求の範囲であって P C T 規則 6. 4 (a) の第 2 文及び第 3 文の規定に従って記載されていない。

第 II 欄 発明の単一性が欠如しているときの意見 (第 1 ページの 3 の続き)

次に述べるようにこの国際出願に二以上の発明があるところこの国際調査機関は認めた。

1. ☐ 出願人が必要な追加調査手数料をすべて期間内に納付したので、この国際調査報告は、すべての調査可能な請求の範囲について作成した。
2. ☐ 追加調査手数料を要求するまでもなく、すべての調査可能な請求の範囲について調査することができたので、追加調査手数料の納付を求めなかった。
3. ☐ 出願人が必要な追加調査手数料を一部のみしか期間内に納付しなかったので、この国際調査報告は、手数料の納付のあった次の請求の範囲のみについて作成した。
4. ☐ 出願人が必要な追加調査手数料を期間内に納付しなかったので、この国際調査報告は、請求の範囲の最初に記載されている発明に係る次の請求の範囲について作成した。

追加調査手数料の異議の申立てに関する注意

- ☐ 追加調査手数料の納付と共に出願人から異議申立てがあった。
☐ 追加調査手数料の納付と共に出願人から異議申立てがなかった。